

STATE OF NORTH CAROLINA **DEPARTMENT OF TRANSPORTATION**

P.O. BOX 25201, RALEIGH, NC 27611-5201

CERTIFICATION OF RULEMAKING

Certifying Agency Department of Train				
Action:	х	Adoption	Repeal	
Statutory Authori 20-141 (j2), 136-18		· • · · · · · · · · · · · · · · · · · ·		
Public Hearing No GS 150A-1, 20-1.	ot Required Fo	or This Action Unde	er:	
Rule Summary: Work Zone Speed	Limits, Work Z	one Speed Penalty,	No Parking/Tow-Away Zone.	
Circumstances Re Necessary for publ		Adoption, Repeal: velfare.		
Effective Date: October 14, 2005				
October 14, 2005			1-LC	
DATE		_	OFFICER SIGNAT	
			James. K. Lacy TYPED N	
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			State Traffic Eng	jineer
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No Parking/Tow-Away Zone

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 136-18 (5).

COUNTY BUNCOMBE

DIVISION 13

DECLARE THE FOLLOWING

County	Ordinance Number	Route	Description
BUNCOMBE	1051457		On I-40 EB from a point 0.40 mile west of SR 1224, eastward a point 0.20 mile east of SR 3412. On I-40 WB from a point 0.50 mile west of SR 1224, eastward to a point 0.25 mile east of SR 3412. Project I-4401. Any vehicles parked, left standing or disabled, whether attended or unattended on the ROW within the limits described, shall be subject to being towed without advance notice.

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Work Zone Speed Limits

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY BUNCOMBE

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number		Route	Car Spd Lmt	Trk Spd Lmt	
BUNCOMBE ASHEVILLE	1051363	I 40		50		I-40 EB from a point 0.20 mile west of SR 1234 (Asbury Road), eastward for 3.51 miles to a point 0.20 mile east of SR 3412 (Sandhill Road). I-40 WB from a point 0.50 mile west of SR 1224 (Monte Vista Road), eastward for 3.72 miles to a point 0.20 mile east of SR 3620 (Hominy Creek Road). (To be in effect during the life of TIP project I-4401.)

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Work Zone Speed Penalty

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141 (j2).

COUNTY BUNCOMBE

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number		Route	Car Spd Lmt	Spd	
BUNCOMBE	1051451	I 40		50	50	Declare a \$250 speeding penalty for exceeding the posted speed limit on I-40 EB from a point 0.40 mile west of SR 1224 (Monte Vista Rd.), eastward for 2.27miles to a point 0.20 mile east of SR 3412 (Sandhill Rd.) and on I-40 WB from a point 0.50 mile west of SR 1224 (Monte Vista Rd), eastward for 2.42 miles to a point 0.25 mile east of SR 3412. (To be in effect during the life of Project I-4401.)

October 14, 2005 Page 4 of 5

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The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-141 (j2), 136-18 (5), 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective October 14, 2005 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Work Zone Speed Limits	1	0
Work Zone Speed Penalty	1	o
No Parking/Tow-Away Zone	1	0
Total	3	0

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

October 14, 2005	1-1Ce
DATE	9FFICER SIGNATURE
	James. K. Lacy, P.E.
	TYPED NAME
	State Traffic Engineer
	TITLE

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STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, N.C. 27611-5201

CERTIFICATION OF RULEMAKING

Certifying Agency: Department of	Transportation	
Action: X Adopt	ion Amen	dment Repeal
		
Formal Action Date:	Statutory Authority:	Public Notice Date:
	GS 20-141,	N/A
	GS 20-141.1	
Public Hearing Date	Public Hearing N	ot Required For This Action Under:
N/A	G	S 150A-1, 20-1
Rule Summary (Also indicate change in r	•	
Work Zone Speed Limit, Work	Zone Penalty	
Circumstances Requiring Rule Adoption,	Amendment of Repeal:	
Necessary for public safety and	=	
The property and property and a	.,	
Effective Date: October 14, 2005		
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		OFFICER SIGNATURE
		<i>'</i>
		J. Kevin Lacy, P.E.
		TYPED NAME
		I II ED NAME
		Class True CC - Y - '
		State Traffic Engineer
		TITLE

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Page 1 of 2 Pages Highway Traffic Ordinances Effective Date 10-14-2005

BOARD OF TRANSPORTATION

HIGHWAY TRAFFIC ORDINANCES

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S. 143B-350 (f), (g) (see 19A NCAC 4A.0104).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary highway system of North Carolina pursuant to authority of N.C.G.S. 143B-350 (f), (g), (see 19A NCAC 4A.0104).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141, 20-141.1.

WORK ZONE SPEED LIMIT

DECLARE THE FOLLOWING SPEED LIMIT

DIVISION 13

BUNCOMBE COUNTY

Route	Description	Length (Miles)		t (MPH) - Trucks
I-26 WB off-ramp	From SR 3412 (Sandhill Road) eastward to a point 0.25 mile east of SR 3412. (To be in effect during the life of project I-4401).	0.25	50	50

WORK ZONE SPEED PENALTY

DECLARE THE FOLLOWING SPEED LIMIT PENALTY

DIVISION 13

BUNCOMBE COUNTY

Route	Description	Length (Miles)		(MPH) Trucks
I-26 WB off-ramp	Declare a \$250 speeding penalty for exceeding the posted speed limit on the I-26 WB off-ramp, from SR 3412 (Sandhill Road) eastward to a point 0.25 mile east of SR 3412. (To be in effect during the life of project I-4401).	0.25	50	50

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The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (G.S. 136-18 (5); 143B-350 (f), 143B-350 (g) and 19ANCAC 4A.0004). The Highway Traffic Ordinances herein adopted are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL	AMEND	EFFECTIVE DATE
Work Zone Speed Limit	1	0	0	October 14, 2005
Work Zone Penalty	1	0	0	October 14, 2005

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer, and these ordinances shall be in full force and effect from and after the erection of such signs.

State Traffic Engineer

10-16-96

Ordinance Approval Sheet

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